

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

MDL Docket No. 3:10-md-02143 RS

Case No. 3:13-cv-4991-RS

This document relates to:

Acer Inc., et al.,

Plaintiffs,

v.

Lite-On IT Corp., et al.,

Defendants.

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING CERTAIN
DEFENDANTS' RESPONSES TO
SECOND AMENDED COMPLAINT**

WHEREAS, on July 10, 2014, the Court entered an Order Denying Defendants' Joint Motion to Dismiss and Granting the Pioneer Defendants' Motion to Dismiss with Leave to Amend (MDL Dkt. 1344);

WHEREAS, on July 30, 2014, plaintiffs Acer America Corporation, Gateway, Inc., and Gateway U.S. Retail, Inc., f/k/a eMachines, Inc. (collectively, "Acer") filed a Second Amended Complaint for Damages and Injunctive Relief (MDL Dkt. 1361);

WHEREAS, pursuant to the Joint Stipulation and Order Regarding Defendants' Responses to Second Amended Complaint entered by this Court on July 18, 2014 (MDL Dkt. 1351), Defendants' responses to Acer's Second Amended Complaint are currently due August 29, 2014; and

WHEREAS, defendants Toshiba Samsung Storage Technology Korea Corporation ("TSSTK"), Toshiba Samsung Storage Technology Corporation ("TSST"), Toshiba Corporation ("Toshiba Corp."), and Toshiba America Information Systems, Inc. ("TAIS") are continuing to review their Answers to Acer's Second Amended Complaint, and Acer has agreed that TSSTK, TSST, Toshiba Corp. and TAIS shall have an additional week, until September 5, 2014, to file their respective Answers.

It is therefore STIPULATED and AGREED, subject to Court approval, that:

Defendants TSSTK, TSST, Toshiba Corp. and TAIS shall have until September 5, 2014 to file their respective Answers to Acer's Second Amended Complaint.

IT IS SO STIPULATED.

DATED: August 28, 2014

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By /s/ Belinda S Lee
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Storage Technology Corporation, Toshiba
Corporation, and Toshiba America Information
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Dated: August 28, 2014

CARLTON FIELDS JORDEN BURT, P.A.

By /s/ David B. Esau
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INC.; AND GATEWAY U.S. RETAIL, INC.,
F/K/A EMACHINES, INC.

Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of
this document has been obtained from each of the signatories.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/29/14



HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE